

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

CHRISTOPHER SCOTT DANGIM,

Plaintiff,

v.

No. 21-cv-0358 MV-KRS

STATE OF NEW MEXICO, *et al*,

Defendants.

ORDER TO CURE DEFICIENCIES

This matter is before the Court on Plaintiff's letter raising civil rights violations (Doc. 1). Plaintiff is incarcerated and proceeding *pro se*. The letter primarily raises 42 U.S.C. § 1983 claims based on Plaintiff's arrest and prison conditions, and he requests a blank § 1983 complaint. The title of the letter also purports to raise habeas claims. The Court will construe the instant proceeding under § 1983, without prejudice to Plaintiff's ability to file a separate habeas case seeking a release from custody and/or challenging the underlying conviction. The Clerk's Office will mail Plaintiff a form § 1983 complaint and a form *in forma pauperis* motion. Plaintiff must refile his claims using the proper § 1983 form within thirty (30) days of entry of this Order. By the same deadline, Plaintiff must also prepay the \$402 civil filing fee or, alternatively, file a motion to proceed *in forma pauperis* along with a six-month inmate account statement. All filings should include the case number (21-cv-0358 MV-KRS). If Plaintiff fails to timely refile the claims on the proper § 1983 form and address the filing fee, the Court will dismiss this case without prejudice.

IT IS ORDERED that within thirty (30) days of entry of this Order, Plaintiff shall: (1) refile his claims on the proper § 1983 form; and (2) either prepay the \$402 filing fee or,

alternatively, file an *in forma pauperis* motion along with an inmate account statement reflecting transactions between **October 19, 2020 and April 19, 2021**.

IT IS FURTHER ORDERED that the Clerk's Office shall send Plaintiff a form § 1983 complaint and a form motion to proceed *in forma pauperis*.

A handwritten signature in black ink, appearing to read "Kevin Smeagala". The signature is written in a cursive, flowing style.

UNITED STATES MAGISTRATE JUDGE